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PATENT
Customer No. 32127
Attorney Docket No. 99-470

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Richard Mark SCHWARTZ et al.) Group Art Unit: 2654
Application No.: 09/655,325) Examiner: Vijay Chawan
Filed: September 5, 2000)
For: SYSTEMS AND METHODS FOR)
USING ONE-DIMENSIONAL)
GAUSSIAN DISTRIBUTIONS TO)
MODEL SPEECH)

28

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PETITION TO EXPUNGE THE SUBMISSION OF A NOTICE OF APPEAL
UNDER 37 C.F.R. § 1.59

Pursuant to 37 C.F.R. § 1.59, Applicants respectfully petition to expunge the Notice of Appeal filed September 15, 2004, from the U.S. Patent and Trademark Office (USPTO) records for this application.

Facts:

In response to a first non-final Office Action mailed March 22, 2004, Applicants filed an Amendment on September 15, 2004 with a petition for a three-month extension of time. Concurrent with the Amendment, Applicants inadvertently filed a Notice of

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Attorney Docket No. 99-470
Appln. No.: 09/655,325

Appeal. As a result, the USPTO has docketed this application for an Appeal, thus requiring Applicants to file an Appeal Brief.¹

Because Applicants have only received a non-final Office Action, and did not intend to file a Notice of Appeal, Applicants request that the Notice of Appeal filed September 15, 2004 be expunged from the USPTO records and that this Application be docketed for a response to the Office Action mailed March 22, 2004, which was met by the Amendment and Petition for Three-Month Extension of Time filed September 15, 2004.

Accompanying this Petition is the required fee of \$130.00 under 37 C.F.R. § 1.17(h). If any additional fees are due in connection with the submission of these documents, including any fees required for an extension of time under 37 C.F.R. § 1,136, the Commissioner is authorized to charge any such fees to our Deposit Account No. 07-2347.

Respectfully submitted,

VERIZON CORPORATE SERVICES
GROUP INC.

Dated: January 6, 2006

By: 
Joel Wall
Reg. No. 25,648

¹ Applicants' representative spoke with Examiner Vijay Chawan on March 8, 2004. The Examiner indicated that the USPTO Application tracking system indicates an Appeal Brief was due by November 15, 2004.

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**Intellectual Property Law Group****Verizon Corporate Services Group Inc**

600 Hidden Ridge Drive
Irving, Texas 75038
MailCode HQE03H14
Phone: 972/718-4800
Fax: 972/718-3946
E mail: christian.andersen@verizon.com

To: U.S. Patent and Trademark Office – From: Christian R. Andersen
MAIL STOP: PETITION
Examiner: Vijay CHAWAN
Group Art Unit: 2654

Fax: 571-273-8300 Pages
with Cover: 3

FORMAL SUBMISSION OF:

1) Petition to Expunge the
Submission of a Notice of
Appeal Under 37 C.F.R. §
1.159.

Title: SYSTEMS AND METHODS FOR USING ONE-DIMENSIONAL GAUSSIAN
DISTRIBUTIONS TO MODEL SPEECH
Serial No. 09/655,325
Filing Date: September 5, 2000
First Named Inventor: Richard Mark SCHWARTZ
Atty. No. 97-470
Customer Number: 32127

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the above-referenced documents are facsimile transmitted to the Patent and Trademark
Office on the date shown below:


Christian R. Andersen

Date of Transmission: January 6, 2006

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